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MAINE COALITION AGAINST SEXUAL ASSAULT

February 26, 2025

Senator Carney, Representative Kuhn, and Members of the Joint Standing Committee on Judiciary:

My name is Carlie Fischer, and I am submitting testimony today on behalf of the Maine Coalition Against Sexual Assault (MECASA), which represents and serves Maine's sexual violence prevention and response programs as well as Maine's Children's Advocacy Centers. MECASA initiates and advocates for victim-centered public policy; provides expert training, technical assistance, and resources for providers and partners; and funds the service providers in your communities.

MECASA is here today in support of LD 412, "An Act to Prohibit the Sale or Provision of Self-administered Sexual Assault Forensic Evidence Collection Kits." Thank you to Representative Sato for sponsoring this legislation.

Sexual assault forensic exams are a vital part of survivor care. These exams are conducted by licensed medical professionals who are trained to identify injuries, collect evidence, and provide essential medical treatment. Healthcare providers can treat pain and injuries, offer timely prophylactic measures against sexually transmitted infections and pregnancy, and address issues related to strangulation, which is increasingly common in sexual violence cases.¹ Strangulation can cause serious, sometimes life-threatening injuries that a survivor may not immediately recognize. Without a medical evaluation, these injuries may go untreated, leading to severe health consequences.

In addition to medical care, professionally administered forensic exams ensure a proper chain of custody for criminal evidence, making it admissible in court. Maine law requires that sexual assault kits be collected in a standardized manner (Title 25, §2915) and securely stored by law enforcement (as required by Title 25 §3821). In contrast, self-administered kits lack these safeguards, putting survivors at risk of collecting evidence that is legally

¹ <https://www.valor.us/webconferences/the-rise-of-sexual-choking-strangulation-what-you-must-know-about-prevalence-consent-communication-and-safety/>

inadmissible, ultimately failing to provide the justice they advertise. Given that the window for evidence collection is only a few days, survivors may realize too late that their self-collected evidence cannot be used in criminal proceedings, potentially jeopardizing prosecution efforts.

Moreover, trained sexual assault advocates are available 24/7 to accompany all patients presenting in emergency rooms due to sexual violence. These advocates can maintain a connection with the survivor in the hours, days, weeks, and even years following the examination. With the survivor's permission, they will follow up as needed and answer calls to the free, confidential, 24/7 statewide Sexual Assault Helpline whenever the survivor has questions or wants to talk. Advocates play a crucial role in guiding survivors through medical and legal processes, providing crisis intervention, assisting with protection orders, and connecting survivors with essential resources. Often, a sexual assault forensic examination is the survivor's first point of contact with an advocate—support that is lacking when survivors rely on self-administered kits.

Lastly, sexual assault forensic examinations are covered by Victims Compensation because they are considered necessary medical expenses directly related to the crime of sexual assault. This coverage allows survivors to access crucial care and evidence collection without incurring out-of-pocket costs that might deter them from seeking medical attention or reporting the crime.

Ultimately, companies that market these kits exploit survivors by offering a false sense of security. There is no evidence that these kits have been successfully used in court, and misleading advertising wrongly implies that they are a viable alternative to professional forensic exams. Other states, such as Maryland and Washington, have recognized this danger and passed similar legislation to prevent such exploitation. LD 412 is essential to ensure survivors receive proper medical care, legally sound evidence collection, and access to advocacy services.

For these reasons, we support the bill and urge you to do the same. Thank you for your consideration. I would be pleased to answer any questions you might have.

About Maine's Sexual Assault Service Providers

One in five Mainers will experience sexual assault at some point in their lifetime.² Each year, 14,000 Mainers will experience sexual violence.³

Maine's sexual violence service providers provide free and confidential services across the state to victims/survivors of sexual harassment and sexual assault and those close to them, as well as to individuals who wish to increase their understanding of the issues. Just some of the services include a 24-hour statewide sexual assault helpline, crisis intervention and information, support groups, in-person accompaniment and advocacy through the medical and legal systems, and school- and community-based prevention education. Services are provided for a victim/survivor regardless of when they experienced sexual violence, and regardless of what type of sexual violence they experienced. Types of sexual violence include, but are not limited to, sexual harassment and gender-based bullying, child sexual abuse, elder sexual abuse, stalking, sex trafficking, and sexual violence within an intimate partner relationship.

24/7 Confidential

Maine Sexual Assault Helpline: 1-800-871-7741

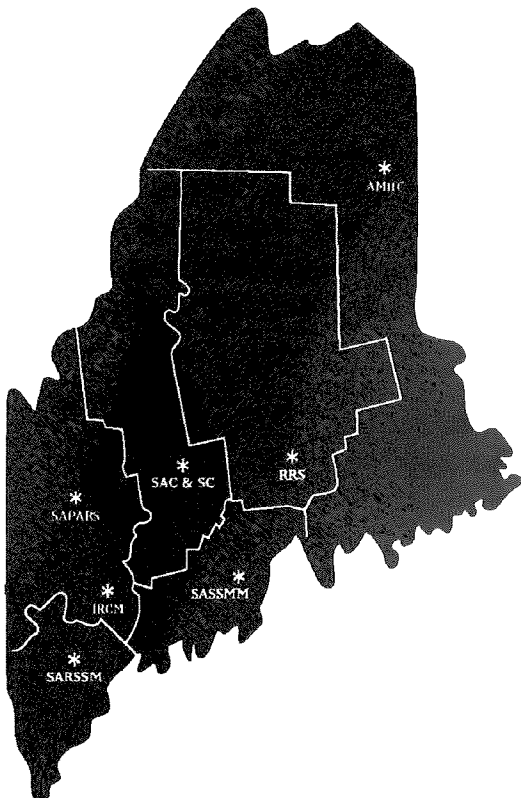
² Dumont, R. & Shaler, G. (2015). *Maine Crime Victimization Report: Informing public policy for safer communities*. Muskie School of Public Service, University of Southern Maine.

³ *Ibid.*

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**MAINE COALITION AGAINST
SEXUAL ASSAULT**

info@mecasa.org | mecasa.org
207-626-0034



**STATEWIDE
SEXUAL ASSAULT HELPLINE
1-800-871-7741**

Free. Private. 24/7.

MAINE'S SEXUAL ASSAULT SUPPORT CENTERS

AMHC Sexual Assault Services (AMHC)

Serving Aroostook, Hancock, & Washington Counties •
amhcsas.org

Immigrant Resource Center of Maine

Serving Androscoggin & Cumberland Counties • ircofmaine.org

Rape Response Services (RRS)

Serving Penobscot & Piscataquis Counties • rrsonline.org

Sexual Assault Prevention & Response Services (SAPARS)

Serving Androscoggin, Oxford & Franklin Counties and the towns of
Bridgton & Harrison • sapars.org

Sexual Assault Crisis & Support Center (SAC & SC)

Serving Kennebec & Somerset Counties • silentnomore.org

Sexual Assault Response Services of Southern Maine (SARSSM)

Serving Cumberland & York Counties • sarssm.org

Sexual Assault Support Services of Midcoast Maine (SASSMM)

Serving Eastern Cumberland, Sagadahoc, Knox, Waldo & Lincoln
Counties • sassmm.org

MORE SEXUAL VIOLENCE SERVICES

Maine TransNet • mainetrans.net • info@mainetransnet.org

Wabanaki Women's Coalition • wabanakiwomenscoalition.org
207-763-3478

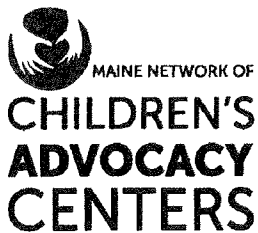
Aroostook Band of Micmacs, Domestic & Sexual Violence
Advocacy Center • 207-551-3639

Houlton Band of Maliseets, Domestic & Sexual Violence
Advocacy Center • 207-532-6401

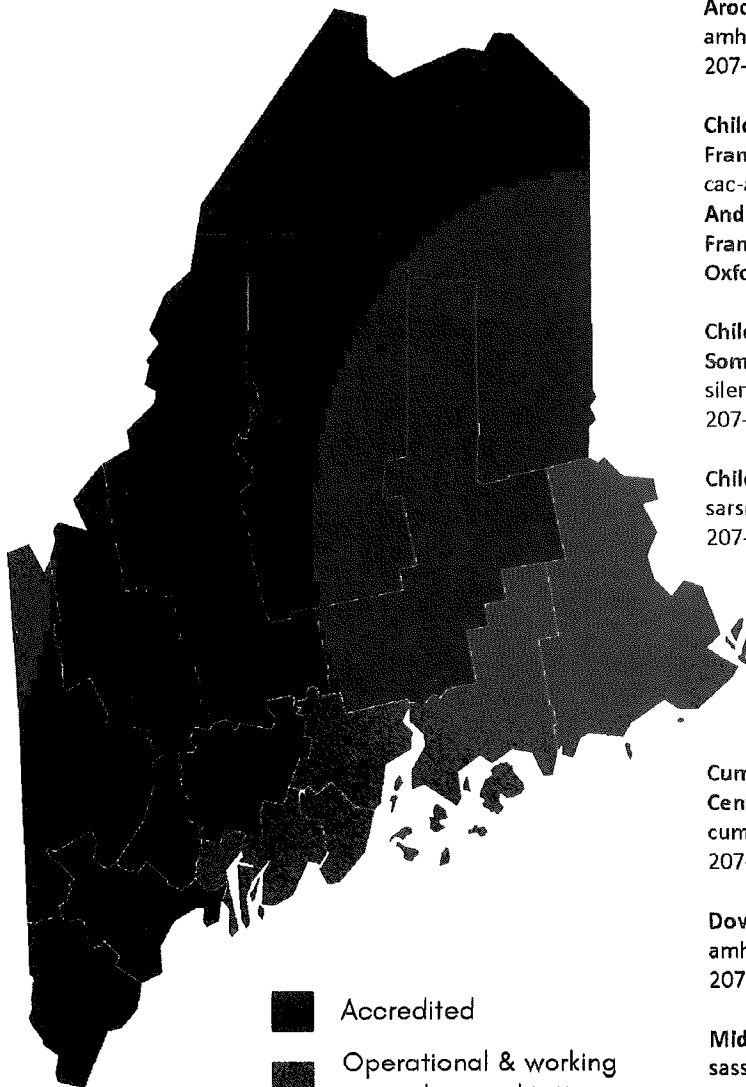
Indian Township Passamaquoddy, Domestic & Sexual
Violence Advocacy Center • 207-214-1917



Passamaquoddy Peaceful Relations • 1-877-853-2613

Penobscot Indian Nation, Domestic & Sexual Violence
Advocacy Center • 207-631-4886



Maine's Children's Advocacy Centers



-  Accredited
-  Operational & working toward accreditation

Aroostook County Children's Advocacy Center
amhcsas.org
207-472-6134

Children's Advocacy Center of Androscoggin, Franklin, and Oxford Counties
cac-afco.org
Androscoggin: 207-784-0436
Franklin: 207-778-9777
Oxford: 207-739-1228

Children's Advocacy Center of Kennebec & Somerset Counties
silentnomore.org/about-our-cac
207-861-4491

Children's Advocacy Center of York County
sarsmm.org
207-459-2380

Cumberland County Children's Advocacy Center
cumberlandcountycac.org
207-879-6160

Downeast Children's Advocacy Center
amhcsas.org
207-255-3687

Midcoast Children's Advocacy Center
sassmm.org
207-522-7162

Penquis Children's Advocacy Center
penquiscac.org
207-974-2469